

PUBLIC HEARING--Oct. 13, 1965

Appeal #8392-93 Miesel Const. Co. and Ronald and Richard Cohen, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 19, 1965:

ORDERED:

That the appeals for variance from the provisions of 3307.2 of the Zoning Regulations which require a lot occupancy of 25% and an FAR of 0.65 to permit erection of apartment buildings with an FAR of .9 and 29.8% lot occupancy at 1343 Maplevue Place, S.E., lots 140, 141, 145, 806, 863, 868, 873, 861, 974 and 979, square 5803, be granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's property is irregular in shape having a frontage of 247.13 feet on Morris Road and 80.15 feet on Maplevue Place. The Board finds that appellant has proven a case of hardship within the provisions of Sect. 8207.11 of the Zoning Regulations due to difficult topography and grades on the property and the irregular shape of the property.

(2) The Board is of the opinion that the granting of an FAR of .9 and 29.8% lot occupancy in lieu of an FAR of 0.65 and an occupancy of 25% as required by Section 3307 of the Zoning Regulations is warranted due to the irregular shape of the lot and the unusual topography existing on the site.

(3) In view of the above it is our opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is also our opinion that a denial of this request would result in peculiar and exceptional practical difficulties and undue hardship upon the owner of the property.

(4) There was objection to the granting of this appeal registered at the public hearing.